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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**RONNELL RAY HILL,**

Petitioner,

**v.**

**V.M. ALMAGER, Warden,**

Respondent.

C 07-3229 JSW (PR)

**ANSWER TO PETITION FOR  
WRIT OF HABEAS CORPUS**

Respondent provides this Answer to the Petition for Writ of Habeas Corpus and Order to Show Cause:

**I.**

Petitioner is presently in lawful state custody in Centinela State Prison in Imperial, California. On April 21, 2004, following a jury trial in Monterey County Superior Court, petitioner was convicted of four counts of inflicting corporal injury on a spouse (Cal. Penal Code<sup>1/</sup> § 273.5(a)), three counts of aggravated assault (§ 245(a)(1)), forcible oral copulation (§ 288a(c)(2)), spousal rape

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1. All further statutory references are to the California Penal Code unless otherwise indicated.

(§ 262(a)), forcible object penetration (§ 289(a)(1)), forcible sodomy (§ 286 (c)(2)), two counts of making criminal threats (§ 422), false imprisonment (§§ 236/237), and four misdemeanor counts of criminal contempt/disobedience of a protective order (§ 166(c)(1)). CT 314-16, 318-40, 486.<sup>2/</sup> On April 22, 2004, in a bifurcated proceeding, the trial court found the two prior strike convictions true. CT 316; RT 1023-24. On July 1, 2004, the trial court sentenced petitioner to 29 years to life on count two, 25 years to life on count three, 30 years to life on count five, and four 25 years to life terms on counts nine through twelve. The court ordered that the terms run consecutively. CT 369-75, 392-95.

## II.

Petitioner has exhausted state remedies as to all his claims. The petition is timely within the meaning of 28 U.S.C. § 2244(d).

## III.

Respondent denies that petitioner suffered any deprivation of constitutional rights supporting habeas corpus relief, or that he has made a showing that the state court decision adjudicating his claims was contrary to, or involved an unreasonable application of, clearly established federal law, as determined by the United States Supreme Court, or was based on an unreasonable determination of the facts in light of the evidence presented in the state court proceeding. In support of the denial, respondent incorporates as though fully set forth the Memorandum of Points and Authorities which accompanies this Answer.

## IV.

Respondent has lodged the following state records with this Answer:

EXHIBIT 1 Clerk's Transcript (2 vols.), *People v. Hill*, Monterey County Superior Court, Case No. S5031004

EXHIBIT 2 Reporter's Transcript (8 vols.), *People v. Hill*, Monterey County Superior Court, Case No. S5031004

EXHIBIT 3 Appellant's Opening Brief, *People v. Hill*, California Court of Appeal, Sixth Appellate District, Case No. H027710

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2. Exhibit references are to the state records lodged with this Answer. References to "CT" and "RT" are to the Reporter's Transcript and Clerk's Transcript of state proceedings, Exhs.1 and 2, respectively.

1 EXHIBIT 4 Respondent's Brief, *People v. Hill*, California Court of Appeal, Sixth  
Appellate District, Case No. H027710

2 EXHIBIT 5 December 6, 2005, Opinion, *People v. Hill*, California Court of Appeal,  
3 Sixth Appellate District, Case No. H027710

4 EXHIBIT 6 January 20, 2006, Petition for Review, *People v. Hill*, California  
Supreme Court, Case No. S140531

5 EXHIBIT 7 February 26, 2006, Order, *People v. Hill*, California Supreme Court,  
6 Case No. S140531

7 EXHIBIT 8 October 6, 2006, Petition for Writ of Habeas Corpus, California  
Supreme Court, Case No. S147089

8 EXHIBIT 9 April 18, 2007, Order denying Petition for Writ of Habeas Corpus,  
9 California Supreme Court, Case No. S147089

10  
11 **CONCLUSION**

12 Accordingly, respondent respectfully submits that the Petition for Writ of Habeas Corpus  
13 should be denied.

14 Dated: June 26, 2008

15 Respectfully submitted,

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